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EXAMINER

GREIMEL, JOCELYN

ART UNIT

PAPER NUMBER

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/718,004	Applicant(s) BERLIN ET AL.	
	Examiner JOCELYN GREIMEL	Art Unit 3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is in response to Applicant's Amendments and Remarks filed 16 May 2008.

Status of Claims

Claims 1-20 are currently pending. Claims 1 and 6 are currently amended. Claims 1, 10, 12 and 19 are independent claims.

Claim Rejections - 35 USC § 112

The 35 USC 112 rejections of claim 1 and claim 6 are withdrawn.

Response to Arguments

Applicant's arguments with respect to the rejection of claims 1-20 under Stoxen et al. have been considered and are persuasive. Therefore the previous grounds of rejection are withdrawn. However, upon further consideration a new ground(s) of rejection is presented.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1, 10, 12 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by McDonough et al. (U.S. Patent No. 6,070,142, hereinafter McDonough).** In reference to claims 1 and 12, McDonough discloses a computer implemented acquisition system, comprising:

- a. receiving an event request including event request data (col. 3, line 50+; col. 6, line 18+);
- b. determining an appropriate handler to direct the event request (col. 7, line 1+);
- c. directing the event request to the appropriate handler, wherein the handler executes business rules (col. 7-9; col. 11, line 53+); and
- d. invoking, by the appropriate handler, one or more workers to perform tasks to validate the event request data and complete the business rules (col. 6, line 10+; col. 7-9; col. 11 - col. 13).

3. In reference to claim 19, McDonough discloses a computer implemented acquisition system, comprising:

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- e.** establishing a network interface for communicating over a distributed network with applicants (col. 4, line 24+);
 - f.** capturing data from an applicant's computer (col. 6, line 10+);
 - g.** retrieving application data from the applicant; establishing an interface for validating the application data to facilitate communication with the acquisition system; forwarding the application data, using a request handler, to the acquisition system for application processing (col. 6, line 10+ - col. 9); and
 - h.** receiving from the acquisition system information responsive to the application processing and application data validation (co. 9, line 30+).
- 4.** In reference to claim 10, McDonough discloses a computer implemented acquisition system, comprising:
 - i.** a portal configured to communicate with an acquisition server to receive product or service event requests from multiple clients (col. 9, line 30+);
 - j.** the acquisition server, comprising: a service data validation worker configured to validate the event requests from the multiple clients (col. 9, line 38);
 - k.** at least two workers configured to process one or more tasks to facilitate the event request, wherein at least one of the workers is a performance tracking worker configured to track the performance of one or more tasks (col. 11, line 53+); at least two handlers for processing product or service requests received from the client by invoking at least two workers including the service data

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validation worker to perform tasks associated with the event request (col. 11-12);
and

l. a dispatcher for receiving and forwarding the event requests to the handler to fulfill at least a portion of the event request (col. 13, line 4+).

5. In reference to dependent claims 2-9, 11, 13-18 and 20, McDonough discloses a computer implemented acquisition system, comprising:

m. wherein the portal is configured to communicate with a service data validation worker to facilitate validation of the event request data (col. 11-12);

n. wherein the handler is configured to communicate with a service data validation worker to facilitate validation of the event request data (col. 11-12);

o. further comprising a service router configured to receive the event request data from the portal and route the event request data to the Acquisition system (col. 7);

p. wherein the event request further comprises an event selected from a group of events consisting of online banking account set-up, credit bureau access, e-pay account set-up, brokerage account set-up, membership banking set-up, user authentication, electronic payment, savings account set-up, checking account setup, rewards program setup, and privacy preferences maintenance (col. 3 “connecting any customer to any sales and service resource”);

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- q.** wherein the worker is configured to perform a specific task by communicating with an interface, the interface including at least one of credit bureaus, databases, new card services, card authorization services, general accounts system, and new card services (col. 7);
- r.** wherein the portal facilitates at least one of validation, decisioning, and fulfillment of the event request (col. 7);
- s.** further comprising a dispatcher for directing event requests from the client to the appropriate handler (col. 7);
- t.** further comprising a client interface system configured to interface with at least one of the portal and the Acquisition server to receive product or service event requests from multiple clients (col. 6, line 28);
- u.** further comprising the step of invoking a service router configured to map the event request to a dispatcher, wherein the dispatcher is configured to communicate with the handler (col. 7);
- v.** further comprising the step of invoking a test handler to test component availability (col. 11);
- w.** further comprising the step of invoking a performance tracking working to track the performance of data throughout (col. 11);
- x.** further comprising the step of preventing duplicate processing of event requests by determining if the event request originated from a substantially similar application (col. 6, line 28+; col. 9, line 30);

- y. wherein the determining step further comprises the step of comparing previously submitted application data with pending application data to determine if the data is substantially similar and, if similar, returning an error message in response to the event request (col. 9, line 30);
- z. further comprising the steps of: developing one or more application specific workers to validate the data; and facilitating decisioning and fulfillment associated with the application processing (col. 7-8).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonough as applied to claims 1, 10, 12 and 19 above in view of Cunningham (U.S. Patent No. 6,014,645). In reference to claims 6 and 13,

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MdDonough discloses computer implemented acquisition system as detailed above.

MdDonough does not disclose the system interfacing with a credit bureau. However,

Cunningham discloses:

aa. further comprising one or more of the following workers: a service validation worker; an email worker; a CBI worker, wherein the CBI worker is configured with suitable protocols for communicating with a CBI server; wherein the CBI server interfaces with at least one credit bureau; an application specific worker; a profile worker; and a data capture worker (at least col. 5, line 5+);

bb. further comprising the step of developing a worker to validate the event request data by facilitating at least one of: checking syntax of event request data; checking completeness of event request data; and checking address consistency of event request data (col. 3, line 1+).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jocelyn Greimel whose telephone number is (571) 272-3734. The examiner can normally be reached on Monday - Friday 8:30 AM - 4:30 PM EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jocelyn Greimel
Examiner, Art Unit 3693
August 12, 2008

/Stefanos Karmis/
Primary Examiner, Art Unit 3693